

Maysville City Commission
Thursday, 11 June 2009
PUBLIC HEARING

The Board of Commissioners of the City of Maysville, Kentucky met in a public hearing on June 11, 2009 at 5:15 p.m. at the Maysville Municipal Building. Present: Commissioner John Mains, Commissioner Judy Pfeffer, Commissioner Rick Litton, Commissioner Kelly Ashley and Mayor David Cartmell presiding. Also present: City Manager Ray Young, City Clerk Lisa Dunbar, City Attorney Sue Brammer, Comptroller Romie Griffey, Police Chief Kent Butcher, Fire Chief Eric Bach, City Engineer Sam Baker, Utility Manager Eddie Wenz, Zoning Administrator Matt Wallingford, Building Official Gary Wells, Code Officer Nicole Jones, Tourism/Renaissance Director Duff Giffen, Asst. Comptroller/HR Director Karen Cracraft, and Street Superintendent Rick Truesdell. Absent: Asst. City Attorney Kelly Caudill. Also present: The Ledger Independent and WFTM.

PUBLIC HEARING ON USE OF MUNICIPAL AID FUNDS & LOCAL GOVERNMENT ASSISTANCE FUNDS AS CONTAINED IN THE BUDGET FOR FYE 6/30/10

Members of the public expressed concern that the budget might include the institution of charges for the pick up of residential trash. The City Comptroller explained that there was nothing in the budget concerning trash pick up. No other concerns or questions were brought up in regard to the budget.

ADJOURN INTO REGULAR MEETING

Motion by Commissioner Pfeffer, second by Commissioner Litton to adjourn into the regular June meeting. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

Maysville City Commission
REGULAR MEETING
Thursday, 11 June 2009

MINUTES OF 5/14/09, 5/19/09 & 5/21/09 & DEPARTMENT REPORTS

Motion by Commissioner Ashley, second by Commissioner Litton to accept the minutes from the 5/14/09 regular and 5/19/09 and 5/21/09 special meetings and the monthly department reports. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

REMOVAL OF WALTER TEEGARDEN FROM PROBATIONARY STATUS AT THE FIRE DEPARTMENT

The following memo was presented to the Board of Commissioners:

To: Mayor, City Commissioner and City Manager
Fr: Fire Chief Eric Bach
Da: June 5, 2009
Re: Walter Teegarden

I would like to recommend that Walter Teegarden be removed from probationary status with the fire department. Walter has completed and passed all state and local required fire training hours. Walter has and will continue to be a great asset to our department.

Motion by Commissioner Litton, second by Commissioner Pfeffer to remove Walter Teegarden from probationary status. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

APPROVAL OF THE DEMOLITION OF 315 PLUM ST.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to approve the demolition of 315 Plum St. by Classic Remodeling. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

APPROVAL OF THE DEMOLITION OF 226 E. 5TH ST.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to approve the demolition of 226 E. 5th St. by Classic Remodeling. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

APPROVAL OF THE DEMOLITION OF 921 ELIZABETH ST.

Motion by Commissioner Mains, second by Commissioner Pfeffer to approve the demolition of 921 Elizabeth St. by Windridge Construction. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

RESOLUTION AUTHORIZING LEASE AMENDMENT WITH MAYSVILLE RIVER PARK

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 09-48**

A RESOLUTION AUTHORIZING LEASE AMENDMENT WITH
MAYSVILLE RIVER PARK

WHEREAS, the City of Maysville entered into a lease agreement with William Ross, Sheryl Ross, Sonny Florence, and Vera Florence on 1 April 2008 to operate the Maysville River Park; and

WHEREAS, the lease was intended to run through December 31, 2009 but states that it expires on November 1, 2008;

NOW THEREFORE, BE IT RESOLVED THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a lease amendment to correct the term of the lease to December 31, 2009, providing that either party may terminate the lease by giving the other party thirty days notice of its intent to terminate.

Motion by Commissioner Ashley, second by Commissioner Mains to adopt the resolution as presented. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

RESOLUTION AWARDING CONTRACT FOR BUS SHELTERS

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 09-49**

A RESOLUTION AWARDING CONTRACT FOR
PURCHASE OF BUS SHELTERS

WHEREAS, the City of Maysville advertised for bids in accordance with plans and specifications as follows:

- (a) Subject: Bus Shelters
- (b) Advertised: May 6, 2009
- (c) Bid Opening: May 20, 2009

WHEREAS, the following bids were received:

- | | | |
|-----|------------------------|-----------|
| (1) | Brasco International | \$ 29,950 |
| (2) | Indoff, Inc., | \$ 95,570 |
| (3) | Time Savers Material | \$ 68,044 |
| (4) | Duo-Guard Industries | \$ 30,470 |
| (5) | Columbia Equipment Co. | \$ 31,700 |

WHEREAS, the City Manager has recommended acceptance of the first bid above as the best bid,

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, as follows:

- (1) The bid of Brasco International in the sum of \$ 29,950 for the subject contract described above is hereby accepted on behalf of the City of Maysville.
- (2) The Mayor is hereby authorized and directed forthwith to execute all contractual documents necessary or appropriate to effectuate acceptance of said bid and to consummate the contract on behalf of the City of Maysville.

Motion by Commissioner Pfeffer, second by Commissioner Litton to adopt the resolution as presented. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

RESOLUTION AUTHORIZING AGREEMENT WITH KLC FOR INSURANCE

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 09-50**

A RESOLUTION AUTHORIZING AGREEMENT WITH KENTUCKY LEAGUE OF CITIES FOR INSURANCE

WHEREAS, the City of Maysville wants to participate in the Kentucky League of Cities Insurance Services; and

WHEREAS, in order to participate in the insurance, the City is required to enter into a Trust Participation Agreement;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to enter into the Trust Participation Agreement for the Kentucky League of Cities Insurance Services General Insurance Trust and Declaration of Trust and Trust Participation Agreement for the Kentucky League of Cities Workers Compensation Trust on behalf of the City of Maysville.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to adopt the resolution as presented. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

RESOLUTION AUTHORIZING AGREEMENT WITH KLC FOR INSURANCE FOR
JOINT PLANNING COMMISSION

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 09-51**

A RESOLUTION AUTHORIZING AGREEMENT WITH KENTUCKY LEAGUE OF
CITIES INSURANCE SERVICES FOR JOINT PLANNING COMMISSION

WHEREAS, Mason County Joint Planning Commission obtains insurance from the Kentucky League of Cities Insurance Services; and

WHEREAS, the Kentucky League of Cities requires execution of an Agreement for the provision of insurance;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the Trust Participation Agreement for the Kentucky League of Cities Insurance Services General Insurance Trust on behalf of the Mason County Joint Planning Commission.

Motion by Commissioner Litton, second by Commissioner Mains to adopt the resolution as presented. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

RESOLUTION AWARDING CONTRACT FOR PURCHASE OF FUEL FOR FISCAL
YEAR 2010

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 09-54**

A RESOLUTION AWARDING CONTRACT FOR PURCHASE
OF FUEL FOR FISCAL YEAR 2010

WHEREAS, the City of Maysville advertised for bids in accordance with plans and specifications as follows:

- | | | |
|-----|--------------|------------------------------------|
| (a) | Subject: | Fuel Purchase for Fiscal Year 2010 |
| (b) | Advertised: | May 11, 2009 |
| (c) | Bid Opening: | June 1, 2009 |

WHEREAS, the following bids were received:

- | | | |
|-----|----------------------------|---------------|
| (1) | Lyco Enterprises Inc. | |
| | Gasoline | Rack + .0449 |
| | Diesel | Rack + .0484 |
| (2) | Lykins Transportation Inc. | |
| | Gasoline | Rack+ .04967 |
| | Diesel | Rack+ .0545 |
| (3) | Harper Oil Products | |
| | Gasoline | Rack + .04408 |
| | Diesel | Rack + .0483 |

WHEREAS, the City Manager recommended acceptance of the first bid as the best bid, because Harper Oil Products has potential additional fees and Lyco Enterprises Inc., hauls out of Lexington which traditionally has a lower price than Covington.

Motion by Commissioner Mains, second by Commissioner Ashley to adopt the resolution as presented. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

RESOLUTION AUTHORIZING NEGOTIATION CONTRACT WITH ARCHITECT FOR COX BUILDING

The following resolution was presented to the Board of Commissioners:

**CITY OF MAYSVILLE
COMMONWEALTH OF KENTUCKY
Resolution No. 09-53**

A RESOLUTION AUTHORIZING NEGOTIATIONS FOR COX BUILDING ARCHITECT

WHEREAS, architect submittals and formal presentations for the Cox Building Restoration project were made on May 19, 2009; and

WHEREAS, the City's staff has recommended that SKC Architects be retained for the Cox Building Restoration project;

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the City Manager, City Engineer, and City Comptroller are hereby authorized to entered into negotiations with SKC Architects to develop two contracts for the Cox Building Restoration project. The first contract will address the planning and scope of the project and coordination with State agencies and a second contract will be

for architectural services to produce drawings and specifications, contract administration and project inspection. The City Manager, City Engineer and City Comptroller are further authorized to enter into negotiations with Cox Allen and Associates if negotiations with SKC Architects are not successful.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to adopt the resolution as presented. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

RESOLUTION AUTHORIZING RENEGOTIATED CONTRACT WITH CANN-TECH ON WASHINGTON SEWER PROJECT

The following resolution was presented to the Board of Commissioners:

**1 CITY OF MAYSVILLE
COMMONWEALTH OF KENTUCKY
Resolution No. 09-52**

A RESOLUTION AUTHORIZING AGREEMENT WITH CANN-TECH, LLC FOR WASHINGTON SEWER SYSTEM

WHEREAS, the City had previously entered into a Professional Consultant Firm Agreement with Cann-Tech, LLC for the Washington area and;

WHEREAS, to meet the requirements of ARRA funding, it is necessary to revise the Agreement to base it on a percentage of construction needs;

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized to and directed to execute an Amended Agreement for engineering services between the City of Maysville and Cann-Tech, LLC Phase III construction services to be performed for 1.29% of bid price for contract administration and 0.43% of bid price for project closeout.

Motion by Commissioner Mains, second by Commissioner Pfeffer to adopt the resolution as presented. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES 134.02 TO DELETE CREDIT FOR FIRST-YEAR APPLICATION FEE FROM OCCUPATIONAL TAX; FIRST READING

The following ordinance was presented to the Board of Commissioners upon first reading:

**CITY OF MAYSVILLE
COMMONWEALTH OF KENTUCKY
Ordinance No. 09C-12**

AN ORDINANCE AMENDING CODE OF ORDINANCES §134.02

Summary

This Ordinance amends Code of Ordinances § 134.02 to delete the credit for the first year application fee from the following year's occupational license fee.

Motion by Commissioner Litton, second by Commissioner Ashley to pass the ordinance as presented on first reading. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES 134.99; FIRST READING

The following ordinance was presented to the Board of Commissioners upon first reading:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 09C-13**

AN ORDINANCE AMENDING CODE OF ORDINANCES §134.99

Summary

This Ordinance amends Code of Ordinances §134.99 to add that employees who fail to file returns or pay tax are subject to the interest and penalty fees.

Motion by Commissioner Pfeffer, second by Commissioner Mains to pass the ordinance as presented on first reading. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

ORDINANCE ENACTING & ADOPTING A SUPPLEMENT TO THE CODE OF
ORDINANCES OF THE CITY OF MAYSVILLE; FIRST READING

The following ordinance was presented to the Board of Commissioners upon first reading:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 09C-15**

AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES OF THE CITY OF MAYSVILLE, KENTUCKY

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the 2008 supplement to the Code of Ordinances of the City of Maysville, which supplement contains all ordinances of a general nature enacted since the prior codification of the Code of Ordinances;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF MAYSVILLE, KENTUCKY, as follows:

1. The 2008 Supplement to the Code of Ordinances of the City of Maysville, Kentucky as submitted by American Legal Publishing Corporation of Cincinnati, and attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.
2. This ordinance shall be forthwith be published in full in accordance with K.R.S. Section 83A.060 (9).

Motion by Commissioner Ashley, second by Commissioner Mains to pass the ordinance as presented on first reading. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

ORDINANCE ADOPTING ANNUAL BUDGET FOR THE CITY OF MAYSVILLE, KENTUCKY FOR FISCAL YEAR ENDING JUNE 30, 2010

The following ordinance was presented to the Board of Commissioners upon first reading:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance 09-16**

AN ORDINANCE ADOPTING THE CITY OF MAYSVILLE, KENTUCKY ANNUAL BUDGET FOR FISCAL YEAR 1 JULY 2009 THROUGH 30 JUNE 2010 BY ESTABLISHING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT.

WHEREAS, an annual budget proposal and message has been prepared and delivered to the Board of Commissioners by the City Manager pursuant to KRS 91A.030 and Code of Ordinances section 131.01; and

WHEREAS, the Board of Commissioners has reviewed such budget proposal and made necessary modifications.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF MAYSVILLE, KENTUCKY, as follows:

The annual budget for the City's fiscal year ending 30 June 2010, summarized by resources, revenues, and appropriations as follows, is hereby adopted:

	<u>GENERAL FUND ECONOMIC</u>	<u>LOCAL GOVERNMENT PROGRAM FUND</u>	<u>MUNICIPAL ROAD AID FUND</u>
RESOURCES AVAILABLE FUND BALANCES CARRIED FORWARD	8,000,000	168,000	300,000
ESTIMATED REVENUES:			
Property taxes	945,000		
License & Permits	5,682,000		
Intergovernmental Revenues	4,765,000	32,000	175,000
Other Revenue	<u>1,285,000</u>	_____	_____
Total Estimated Revenues	<u>12,677,000</u>	<u>32,000</u>	<u>175,000</u>
TOTAL RESOURCES AVAILABLE FOR APPROPRIATIONS	20,677,000	200,000	475,000
General Government & Public Safety	2,370,000		
Police	2,112,000	100,000	
Fire	1,493,000	100,000	
Public Works & Streets	2,396,000		350,000
Other	234,000		
Parks & Recreation	86,000		
Capital Expenditures	<u>6,275,000</u>	_____	_____
Total Appropriations	<u>14,966,000</u>	<u>200,000</u>	<u>350,000</u>
ESTIMATED FUND BALANCES END OF YEAR	5,711,000	0	125,000

Motion by Commissioner Pfeffer, second by Commissioner Ashley to pass the ordinance as presented on first reading. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

ORDINANCE ADOPTING PAY PLAN FOR CLASSIFIED CITY EMPLOYEES AND
NON-ELECTED OFFICIALS; FIRST READING

The following ordinance was presented to the Board of Commissioners upon second reading:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 09-17**

AN ORDINANCE ADOPTING PAY PLAN FOR CLASSIFIED
CITY EMPLOYEES AND NON-ELECTED OFFICIALS FOR
SERVICES RENDERED BEGINNING 1 JULY 2009.

Summary

This Ordinance adopts a pay plan for regular City employees and non-elected officials by job classification for services rendered on and after 1 July 2009 until amended.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF MAYSVILLE, KENTUCKY, that the pay plan attached hereto as **EXHIBIT A** shall govern the compensation of all regular city employees and non-elected officials for services rendered on and after 1 July 2009 until amended by ordinance.

CITY OF MAYSVILLE	EXHIBIT	
	A	
PAY SCALE: 2009-2010	LOW	HIGH
	2009-2010	2009-2010
<u>POLICE</u>		
Colonel (Chief)	\$43,000.00	\$57,000.00
Lt. Colonel (Asst. Chief)	\$42,000.00	\$47,000.00
Lieutenant	\$37,000.00	\$42,000.00
Sergeant - 2	\$16.50	\$18.50
Sergeant - 1	\$16.00	\$16.85
P.O. 3	\$14.50	\$16.75
P.O. 2	\$13.00	\$15.50
P.O. 1 (after 1 year)	\$12.00	\$13.70
P.O. - Recruit	\$11.50	\$12.50
Records Clerk	\$9.00	\$13.00
Communications Supervisor	\$30,000.00	\$35,500.00
Communications Officer - 3	\$11.50	\$13.50
Communications Officer - 2	\$10.00	\$12.00
Communications Officer - 1	\$9.00	\$11.50

Communications - PT/Seasonal	\$7.25	\$9.00
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FIRE

Colonel (Chief)	\$35,000.00	\$51,000.00
Major (Asst. Chief)	\$32,000.00	\$37,500.00
Captain	\$9.50	\$10.75
Fire Officer / Paramedic	\$9.00	\$10.60
Fire Officer / EMT	\$7.50	\$9.50
Fire Officer - PT	\$7.25	\$8.25

PUBLIC WORKS

Director	\$45,000.00	\$57,000.00
Street Superintendent	\$37,500.00	\$55,000.00
Field Supervisor	\$26,000.00	\$45,600.00
Special Projects Supervisor	\$30,000.00	\$45,600.00
Administrative Support	\$9.00	\$13.50
Truck Driver - CDL	\$8.50	\$12.50
Laborer	\$7.25	\$12.50
Custodial	\$7.25	\$9.75
Rec. Park Supervisor	\$22,000.00	\$27,800.00
Rec. Park Maintenance	\$8.00	\$10.50
Seasonal / PT Labor	\$7.25	\$12.85

CITY TRANSIT

Bus Driver - CDL w/passenger	\$8.50	\$13.50
Mechanic	\$9.00	\$16.50

ENGINEERING

City Engineer	\$60,000.00	\$79,500.00
Asst Engineer	\$50,000.00	\$65,000.00

LOW HIGH
2009-2010 2009-2010

CODES

Building Inspector	\$33,000.00	\$40,000.00
Zoning Administrator	\$33,000.00	\$44,500.00
Codes Clerk	\$9.00	\$11.00

TOURISM

Renaissance / Tourism Director	\$33,000.00	\$45,750.00
Asst Tourism Director	\$20,000.00	\$24,750.00
Conference Center Mgr	\$20,000.00	\$26,250.00
Tour Guides / Seasonal	\$7.25	\$8.25

ADMINISTRATION

City Manager	\$65,000.00	\$72,500.00
Comptroller - PT	\$26,000.00	\$27,500.00
HR Director / Asst Comptroller	\$33,000.00	\$45,000.00
Accounts Payable Clerk	\$28,000.00	\$42,000.00
City Clerk	\$10.00	\$14.50
Payroll Clerk	\$10.00	\$14.50

LEGAL

City Attorney	\$25,000.00	\$30,000.00
Asst. City Attorney	\$7,500.00	\$10,000.00

Motion by Commissioner Pfeffer, second by Commissioner Mains to pass the ordinance as presented on first reading. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

ORDINANCE ACCEPTING DEDICATION OF MEADOW RIDGE DRIVE; SECOND READING

The following ordinance was presented to the Board of Commissioners upon second reading:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 09C-12**

AN ORDINANCE ACCEPTING DEDICATION OF MEADOW RIDGE DRIVE EXTENSION

Summary

This Ordinance accepts the dedication as the public way of the right-of-way of Meadow Ridge Drive Extension containing an area of 0.086 acres and an area of 0.068 acre, including the utility improvements within the street right-of-way and pertinent utility easements and authorizing execution of an agreement Re Meadow Ridge Drive.

Motion by Commissioner Pfeffer, second by Commissioner Litton to adopt the ordinance as presented on second reading. Upon call of the roll, voting is as follows:

Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES 70.130, 70.131 & 70.132 TO REMOVE ZONING REFERENCES; SECOND READING

The following ordinance was presented to the Board of Commissioners upon second reading:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 09C-05**

AN ORDINANCE AMENDING CODE OF ORDINANCES §70.130, 70.131, and 70.132 TO REMOVE ZONING REFERENCES

Summary

This Ordinance amends Code of Ordinances §70.130 to remove the responsibility for zoning from the duties of the Codes Enforcement Officer. The Ordinance amends Code of Ordinances §70.131 to delete the requirement that the Codes Enforcement Officer attend meetings of Mason County Joint Planning Commission, Board of Adjustment, Maysville/Washington Board of Architectural Review, Vacant Property Review Commission, and the Board of Building and Housing Appeals and adds a requirement that the Codes Enforcement Officer attend the meetings of the Codes Enforcement Board. This Ordinance amends Code of Ordinances §70.131 to remove the duties of Zoning Administrator, Administrative Officer of the Board of Adjustment, Vacant Property Review Commission, and Board of Building and Housing Appeals; Administrative Officer of the Maysville Board of Architectural Review; and Administrative Officer of the Mason County Joint Planning Commission. This Ordinance amends Code of Ordinances §70.132 to remove the zoning code and subdivision regulations from the code responsibilities of the Codes Enforcement Officer.

Motion by Commissioner Pfeffer, second by Commissioner Mains to adopt the ordinance as read on second reading. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

ORDINANCE ESTABLISHING APPOINTMENT, QUALIFICATIONS AND DUTIES OF ZONING ADMINISTRATOR; SECOND READING

The following ordinance was presented to the Board of Commissioners upon second reading:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE**

Ordinance No. 09C-06

AN ORDINANCE ESTABLISHING APPOINTMENT, QUALIFICATIONS, AND DUTIES
OF ZONING ADMINISTRATOR

Summary

This Ordinance establishes that a Zoning Administrator shall be appointed who shall be responsible for enforcing all zoning codes in the City. The Zoning Administrator shall have graduated from an accredited high school and shall be chosen on the basis of ability to understand and enforce zoning laws. The Zoning Administrator shall be responsible for attending all meetings of Mason County Joint Planning Commission, the Board of Adjustment, and Board of Architectural Review. The Zoning Administrator shall have the duty of administration and enforcement of the zoning code, shall serve as Administrative Officer of the Board of Adjustments, Administrative Officer of Board of Architectural Review, and Administrative Officer of the Mason County Joint Planning Commission. The Zoning Administrator shall have the primary duty of enforcing the zoning code and subdivision regulations.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to adopt the ordinance as read on second reading. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES SECTION 11.01 TO ADD CIVIL
FINES FOR INTERNATIONAL PROPERTY MAINTENANCE CODE VIOLATIONS;
SECOND READING

The following ordinance was presented to the Board of Commissioners upon second reading:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 09C-07**

AN ORDINANCE AMENDING CODE OF ORDINANCES SECTION 11.01 TO ADD
CIVIL FINES FOR INTERNATIONAL PROPERTY MAINTENANCE CODE
VIOLATIONS

Summary

This Ordinance amends Code of Ordinances § 11.01 to amend the civil fines for International Property Maintenance Code to add a fine for all other offenses of \$250 and to add a category for removal of condemnation notice or prohibited occupancy of a condemned property with fines of \$150 for first offense, \$200 for the second offense and \$250 for all others.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF MAYSVILLE, KENTUCKY, as follows:

(1) Code of Ordinances § 11.01 is hereby amended to read in its entirety as follows:

§ 11.01 CLASSIFICATION OF VIOLATIONS.

(A) Unless otherwise provided hereinafter, all code violations are declared to be misdemeanors and are classified into the following criminal penalty categories and shall be subject to the following fines and/or imprisonment:

Class	Fine per Violation	Imprisonment per Violation
I	\$100.00 to \$500.00	Up to 60 days
II	\$50.00 to \$250.00	Up to 30 days
III	\$10.00 to \$100.00	None
IV	\$15.00 within 24 hours, \$25.00 after	None
V	\$1.00 within 24 hours, \$2.00 after	None
VI	\$3.00 within 24 hours, \$5.00 after	None
VII	\$1,000.00	None
VIII	\$500.00 to 4,000.00	Up to 1 year
IX	\$100.00 to \$4,000.00	None
X	\$500.00	Up to 1 year

(B) Violations of Ordinances that are enforced by the Code Enforcement Board shall be subject to the following schedule of civil fines:

Violation	1 st Offense	2 nd Offense	All Others
1. Dangerous Animals (Chapter 191)	\$ 25.00	\$ 50.00	\$100.00
2. International Property Maintenance Code (Chapter 278)	\$100.00	\$125.00	\$250.00
3. Collection of Refuse (Chapter 152)	\$ 10.00	\$ 25.00	\$ 50.00
4. Weeds (Chapter 194)	\$ 10.00	\$ 25.00	\$ 50.00

5.	Junk Vehicles (Chapter 192)	\$100.00	\$250.00	\$500.00 plus \$100.00 per day while violation continues
6.	Land Use Management Supplementary Regulation (320.408) and Sign Regulations (320.411)	\$25.00	\$50.00	\$100.00
7.	<u>Removal of Condemnation Signs or Occupying Condemned Property (Chapter 278)</u>	<u>\$150.00</u>	<u>\$200.00</u>	<u>\$250.00</u>

(Am. Ord. 86C-3, passed 3-25-86; Am. Ord. 89C-10, passed 6-8-89; Am. Ord. 89C-41, passed 12-12-89; Am. Ord. 91C-8, passed 5-7-91; Am. Ord. 94C-49, passed 12-28-94)

Motion by Commissioner Ashley, second by Commissioner Pfeffer to adopt the ordinance as presented on second reading. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES 278.99; SECOND READING

The following ordinance was presented to the Board of Commissioners upon second reading:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 09C-08**

AN ORDINANCE AMENDING CODE OF ORDINANCES §278.99

Summary

This Ordinance amends Code of Ordinances §278.99 to add that if a person is issued a citation by the Codes Enforcement Board, violations shall be punishable by civil fine under §11.01 (B)(2) \$100.00 for first offense, \$125.00 for second offense, and \$250.00 for all others. . If a person is issued a citation by the Codes Enforcement Board for removal of a condemnation sign or occupancy of a condemned property, violation shall be punishable by civil fine under § 11.01 (B)(7) of \$150.00 for first offense, \$200.00 for second offense and \$250.00 for all others.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF MAYSVILLE, KENTUCKY as follows:

(1) Code of Ordinances §278.99 is hereby amended to read in its entirety as follows:

§ 278.99 PENALTY.

Violation of any provision of this chapter or any provision of the International Property Maintenance Code, or noncompliance with any directive or order issued pursuant thereto after all grace periods and appeals times shall have expired, shall be Class II violations punishable under § 11.01.

If a person is issued a citation by the Codes Enforcement Board, violations shall be punishable by a civil fine under § 11.01(B)(2) \$100.00 for first offense, \$150.00 for second offense and \$200.00 for all others. If a person is issued a citation by the Codes Enforcement Board for removing a condemnation sign or occupying a condemned property, violations shall be punishable by civil fine under § 11.01 (B)(7) of \$150.00 for first offense, \$200.00 for second offense, and \$250.00 for all others.

Motion by Commissioner Pfeffer, second by Commissioner Mains to adopt the ordinance as presented on first reading. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES SECTION 320.409.6; SECOND READING

The following ordinance was presented to the Board of Commissioners upon second reading:

**CITY OF MAYSVILLE
COMMONWEALTH OF KENTUCKY
Ordinance No. 09C-10**

AN ORDINANCE AMENDING CODE OF ORDINANCES SECTION 320.409.6 B

Summary

This Ordinance amends Code of Ordinances Section 320.409.6B to adopt the guidelines which have been approved by the Planning Commission, to require recommendations to be forwarded to the Planning Commission within thirty days, to require the Planning Commission to hold a public hearing within sixty days of receiving recommendations and to forward the recommendations within thirty days after holding a public hearing, to change approval of changes to designated property to require approval for construction, modification or demolition of features contributing to the historic landscape and requiring approval of fences, street furniture, sidewalks, and construction, modification, or demolition of outbuildings; provides the board will not approve proposed new construction that requires subdivision of existing parcels or a net increase in the number of dwellings within a parcel, any rezoning request must be

accompanied by a development plan; new construction shall reflect the historically significant architectural periods represented within the district; enclosed structural volume, external proportions and massing shall be considered for certificates of appropriateness; every effort will be made to encourage the preservation and repair of historically significant property; and the administrative official shall assess the exterior of all buildings in the historic district and landmarks at least once a year and report neglected buildings to the reviewing agency who shall issue a letter of warning requiring necessary action and may take legal action.

Motion by Commissioner Pfeffer, second reading by Commissioner Ashley to adopt the ordinance as presented on second reading. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

SET DATE FOR SPECIAL MEETING

The Board of Commissioners agreed to meet in special meeting Thursday, June 25, 2009 at noon.

ADJOURNMENT

Motion by Commissioner Mains, second by Commissioner Pfeffer to adjourn. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.